

**IN THE  
COMMONWEALTH OF VIRGINIA  
REAL ESTATE BOARD**

Re: James R. Bazzle  
Alexandria, VA 22310

File Number 2005-04482  
License Number 0225053358

**CONSENT ORDER**

Respondent James R. Bazzle ("Bazzle") recognizes and acknowledges being subject to and bound by the Regulations of the Real Estate Board ("Board"), as well as by all other applicable Virginia laws.

Bazzle knowingly and voluntarily waives any proceedings for this matter under the Administrative Process Act, §§ 2.2-4019, 2.2-4020, and 2.2-4021 of the 1950 Code of Virginia, as amended.

**Board's 2003 Regulations provides:**

18 VAC 135-20-155. Grounds for disciplinary action.

The board has the power to fine any licensee, and to suspend or revoke any license issued under the provisions of Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1 of the Code of Virginia, and this chapter where the licensee has been found to have violated or cooperated with others in violating any provision of Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1 of the Code of Virginia, Chapter 1.3 (§ 6.1-2.19 et seq.) of Title 6.1 of the Code of Virginia or any regulation of the board. Any licensee failing to comply with the provisions of Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1 of the Code of Virginia or the regulations of the Real Estate Board in performing any acts covered by §§ 54.1-2100 and 54.1-2101 of the Code of Virginia may be charged with improper dealings, regardless of whether those acts are in the licensee's personal capacity or in his capacity as a real estate licensee.

The Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order.

By signing this Consent Order, Bazzle acknowledges an understanding of the charges, but neither admits nor denies the violation(s) of the Counts as outlined in the Report of Findings. Bazzle consents to the following term(s):

|                          |                     |          |
|--------------------------|---------------------|----------|
| Count 1:                 | 18 VAC 135-20-310.1 | \$250.00 |
| TOTAL MONETARY PENALTIES |                     | \$250.00 |

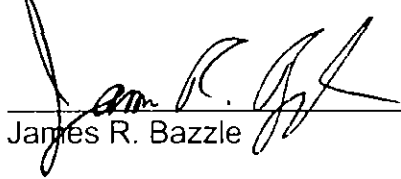
Bazzle also agrees to pay \$150.00 in Board costs.

Any monetary penalties, costs, and/or sanctions are to be paid/performed within thirty days of the effective date of this consent order unless otherwise specifically noted above. Bazzle acknowledges any monetary penalty and/or costs as a debt to the Commonwealth and agrees that in the event of a default, or the return of a check for insufficient funds, Bazzle will be responsible for a penalty fee of 10% and interest at the underpayment rate prescribed in § 58.1-15 of the 1950 Code of Virginia, as amended, and for all reasonable administrative costs, collection fees, or attorney's fees incurred in the collection of whatever funds are due.

**Bazzle acknowledges that failure to pay any monetary penalty or costs and/or to comply with all terms of this Order within the specified time period, shall result in the automatic suspension of Bazzle's license until such time as there is compliance with all terms of this Order. Bazzle understands the right to have this automatic suspension considered in an informal conference pursuant to the Administrative Process Act §§ 2.2-4019 and 2.2-4021 of the 1950 Code of Virginia, as amended, but knowingly and voluntarily waives any rights to the proceeding and hereby waives any further proceedings under the Administrative Process Act §§ 2.2-4020 and 2.2-4021 of the 1950 Code of Virginia, as amended.**

The effective date of this Order shall be the date of execution by the Board.

SEEN AND AGREED TO:

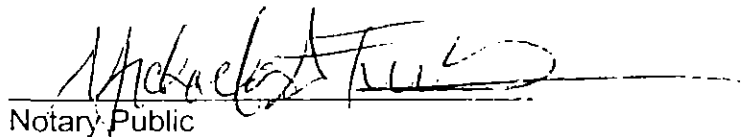
  
James R. Bazzle

9/26/05  
Date

Printed Name and Title of Person Signing on behalf of Entity

CITY/COUNTY OF ALEXANDRIA  
COMMONWEALTH OF VIRGINIA

Sworn and subscribed before me this 26 day of July,  
2005.

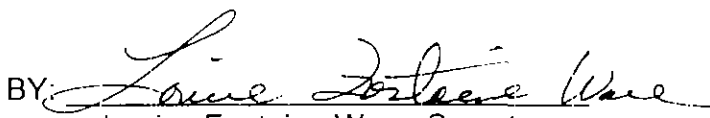
  
Notary Public

My Commission Expires: August 31, 2005

SO ORDERED:

Entered this 22<sup>nd</sup> day of September, 2005.

Real Estate Board

BY:   
Louise Fontaine Ware, Secretary

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VIRGINIA DEPARTMENT OF PROFESSIONAL  
AND OCCUPATIONAL REGULATION  
COMPLIANCE & INVESTIGATION DIVISION  
3600 WEST BROAD STREET  
RICHMOND, VA 23230-4917

REPORT OF FINDINGS

BOARD: Real Estate Board  
DATE: July 1, 2005

FILE NUMBER: 2005-04482  
RESPONDENT: James R. Bazzle  
LICENSE NUMBER: 0225053358  
EXPIRATION: August 31, 2005

SUBMITTED BY: Carolyn D. Wright  
APPROVED BY: Janet Creamer

COMMENTS:

Companion file 2005-02043.

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James R. Bazzle (Bazzle) was at all times material to this matter a licensed real estate salesman in Virginia (No. 0225053358).

Based on the analysis and/or investigation of this matter, there is probable cause to believe the respondent has committed the following violation of the Code of Virginia and/or Board's regulation:

BACKGROUND:

On November 8, 2004, the Compliance & Investigations Division of the Department of Professional and Occupational Regulation received a written complaint from Andrea L. Shoulders ("Shoulders") regarding Bazzle. (Exh. C-1)

On or about August 30, 2004, Shoulders and Richard J. Valentine (Valentine), as purchasers, entered into a Sales Contract with Yen A. and Tu D. Nguyen (the Nguyens), for the sale and purchase of property located at 5869 Woodfield Estates Drive, Alexandria, Virginia, through Re/Max Gateway, by Bryan D. Felder (Felder), as agent representing the seller, and Weichert Realtors, by Bazzle, as agent representing the purchaser. (Exh. C-2)

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1. Board Regulation (Effective April 1, 2003)

18 VAC 135-20-310. Delivery of instruments.

Actions constituting improper delivery of instruments include:

1. Failing to make prompt delivery to each principal to a transaction, complete and legible copies of any written disclosures required by §§ 54.1-2138 and 54.1-2139 of the Code of Virginia, listings, leases, offers to purchase, counteroffers, addenda, ratified agreements, and other documentation required by the agreement

FACTS:

On or about August 30, 2004, Shoulders and Valentine entered into a Sales Price Escalation Addendum (Addendum) with the Nguyens whose terms stipulated the following: "Seller shall attach to this Addendum a complete copy of all competing contracts relevant to determination of the Escalated Contract Sales Price, without which this Escalation Addendum is void and of no effect". (Exh. C-3)

On or about September 20, 2004, settlement took place. (Exh. C-4)

On or about December 23, 2004, Felder provided a copy of the only competing contract offer to Bazzle. On or about April 14, 2005, Bazzle provided a copy of the competing contract offer to Shoulders.